

Applicants disclose a communication system permitting data and voice communications between a server and a terminal over a single communications line, such that a voice call can be made between the terminal and a third party after initiating a data communications session and without terminating the data communications session. This ability to maintain the data communications session during the voice call is facilitated by temporary line disconnection units present in each of the server and the terminal, which mediate the disconnection and reassignment of the communication line to the voice call without informing upper layer applications each of the server and terminal of the disconnection. As a result, the upper layer applications in each of the server and the terminal remain in an active waiting state.

As delimited, for example, by Applicants' independent claims 1, 9, 16 and 22, the communication system and associated method provide for automatically fetching and storing in the terminal data associated with a data application in the server, so that this data may be automatically displayed by the terminal during voice communications (i.e., when data communications are suspended), so that "virtual" data communications proceed during voice communications.

Shachar discloses a method for manipulating voice and data connections between a data communication session and voice communication. In the event that a voice communication is requested during a data communication session, the method provides a means for storing information about the data communication session. However, unlike Applicants' claimed invention, Shachar does not teach, suggest or otherwise disclose temporary line disconnection units for preserving upper layer applications which remain open in each of the server and the terminal during a voice call.

Goldman discloses a switched line modem interface system that comprises a user terminal interface 28 and a host interface 34 that support suspension of a data

communication session when the user proceeds to make a voice call. The interfaces 28, 34 support suspension by causing modem carrier signals to be maintained at inputs to each of user terminal 14 and host 16. Unlike Applicant's claimed system, Goldman's interfaces 28, 34 are not provided in the host 16 and user terminal 14, but are provided externally to these devices. Applicants' claimed approach incorporating temporary line disconnection units directly within each of a user terminal and server reduce system complexity and cost, and improve system portability.

Van Hoff discloses a system for distributing application code and data from a server to a client. A "tuner" application is used by the client to automatically request code and data updates to be delivered by a "transmitter" in the server. Applicants' claimed automatic data unit and feature, however, are clearly distinct from Van Hoff's tuner in a number of important aspects. Applicants' claimed unit is distributed by the server to the terminal when the terminal engages an application of the server, and causes the terminal to store data associated with the engaged application. Importantly, and as claimed, Applicants' automatic data unit fetches stored data during voice communications only, otherwise causing the terminal to fetch data from the server, to be stored in the terminal as required. In this manner, data currency is optimally maintained during both data communications and voice communications.

In light of the arguments presented above, Applicants' respectfully submit that their invention as claimed in independent claims 1, 9, 16 and 22 not made obvious by any combination of Shachar, van Hoff and Goldman, and therefore stand in condition for allowance. Applicants repeat the above argument, in particular with respect to Goldman, to further submit that independent claims 29, 37, 44 and 50 are also not made obvious by Shachar, van Hoff and Goldman, and are therefore in condition for allowance. As claims 2 - 6, 8, 10 - 14, 17 - 21, 23 - 28, 30 - 36, 38 - 43, 45 - 40 and 51 - 56 each depend

from one of allowable claims 1, 9, 16, 22, 29, 37, 44 and 50, Applicants respectfully submit that claims 2 – 6, 8, 10 – 14, 17 – 21, 23 – 28, 30 – 36, 38 – 43, 45 – 40 and 51 – 56 are allowable for at least this reason.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 – 6, 8 – 14, and 16 - 56, consisting of independent claims 1, 9, 16, 22, 29, 37, 44 and 50, and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

We respectfully request that all fees relating to this application be charged to Deposit Acct. No. 50-1290.

Respectfully submitted,



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